

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|---------------------------------|---|----------------------------|
| COSMOKEY SOLUTIONS GMBH & CO. |) | |
| KG, |) | |
| |) | |
| Plaintiff, |) | C.A. No. 18-1477-JLH |
| |) | |
| v. |) | JURY TRIAL DEMANDED |
| |) | |
| DUO SECURITY, INC. n/k/a DUO |) | |
| SECURITY LLC and CISCO SYSTEMS, |) | |
| INC., |) | |
| |) | |
| Defendants. |) | |

**STIPULATION AND [PROPOSED] ORDER
REGARDING REVISED SCHEDULING ORDER DATES**

WHEREAS, Defendants' Motion to Dismiss (D.I. 67) remains outstanding and the pleadings are not yet closed as a result;

WHEREAS, the Court has recently issued its Markman opinion (D.I. 169) and the parties may wish to supplement contentions;

WHEREAS, several discovery disputes remain outstanding and are scheduled for oral argument on May 20, 2024 (*see* D.I. 141) and the close of fact discovery is currently set for June 14, 2024 (D.I. 45); and

WHEREAS, the parties have conferred and have agreed to the following adjustments in the case schedule¹:

IT IS HEREBY STIPULATED AND AGREED by and between the parties and subject to the approval of the Court, that the following deadlines are amended as follows:

¹ Pursuant to Local Rule 16.4, the undersigned counsel certifies that this stipulation has been sent to counsel's respective clients.

| Event | Current Deadline | Proposed New Deadline |
|--|-------------------------|--|
| Deadline to amend pleadings to include inequitable conduct | May 1, 2024 | 10 days after a ruling on the Motion to Dismiss (D.I. 67) ² |
| Hearing regarding outstanding motions to compel | May 20, 2024 | No change |
| Plaintiff to serve supplemental infringement contentions | N/A | May 10, 2024 |
| Deadline for Defendants to serve supplemental invalidity contentions and non-infringement contentions (in response to Interrogatory No. 3) | N/A | June 7, 2024 |
| Close of fact discovery | June 14, 2024 | June 28, 2024 |
| Opening expert reports on issues to which a party bears the burden | July 12, 2024 | July 26, 2024 |
| Rebuttal expert reports | August 16, 2024 | August 30, 2024 |
| Reply expert reports | September 13, 2024 | September 27, 2024 |
| Complete expert depositions | October 11, 2024 | October 25, 2024 |
| Deadline for case-dispositive and <i>Daubert</i> motions | November 8, 2024 | November 29, 2024 |
| Opposition to case-dispositive and <i>Daubert</i> motions | December 4, 2024 | January 7, 2025 |
| Reply to case-dispositive and <i>Daubert</i> motions | December 20, 2024 | January 21, 2025 |

² Given the pending motion to dismiss, Defendants have agreed to disclose any inequitable conduct theories no later than May 31, 2024. Although Defendants will disclose any inequitable conduct theories at that time, Defendants' agreement does not otherwise alter Defendants' rights and obligations pursuant to the Federal Rules of Civil Procedure, including Federal Rule of Civil Procedure 26. To the extent the pending motion to dismiss remains unresolved and the pleadings remain incomplete as the case approaches the close of fact discovery, the parties will further confer and contact the Court if needed.

| Event | Current Deadline | Proposed New Deadline |
|--|------------------|-----------------------|
| Joint proposed pretrial order, as well as <i>in limine</i> motions, jury instructions, voir dire, and verdict form | April 30, 2025 | No change |
| Final pretrial/scheduling conference | May 21, 2025 | No change |
| Jury Trial | June 9, 2025 | No change |

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Dated: April 29, 2024
 11475571/19335.00001

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Attorneys for Defendants Duo Security LLC f/k/a Duo Security, Inc. and Cisco Systems, Inc.

SO ORDERED this ____ day of _____, 2024.

United States District Court Judge